

1 HONORABLE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 ABDIQAFAR WAGAFE, et al.,
11 Plaintiffs,
12 v.
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14 DONALD TRUMP, et al.,
15 Defendants.

CASE NO. C17-00094 RAJ

**ORDER GRANTING
MOTION TO SEAL**

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17 This matter is before the Court on Plaintiffs' motion to seal. Dkt. # 329. For the
18 following reasons, the Court **GRANTS** the motion.

19 "There is a strong presumption of public access to the court's files." Western
20 District of Washington Local Civil Rule ("LCR") 5(g). "Only in rare circumstances
21 should a party file a motion, opposition, or reply under seal." LCR 5(g)(5). Normally the
22 moving party must include "a specific statement of the applicable legal standard and the
23 reasons for keeping a document under seal, with evidentiary support from declarations
24 where necessary." LCR 5(g)(3)(B). However, where parties have entered a stipulated
25 protective order governing the exchange in discovery of documents that a party deems
26 confidential, "a party wishing to file a confidential document it obtained from another
27 party in discovery may file a motion to seal but need not satisfy subpart (3)(B) above."

1 Instead, the party who designated the document confidential must satisfy subpart (3)(B)
2 in its response to the motion to seal or in a stipulated motion.” LCR 5(g)(3). A “good
3 cause” showing under Rule 26(c) will suffice to keep sealed records attached to non-
4 dispositive motions. *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1180 (9th
5 Cir. 2006) (internal citations omitted).

6 Plaintiffs move to keep under seal the declaration of Heath Hyatt (“Hyatt
7 Declaration”) and the accompanying exhibit (“Exhibit A”), submitted in support of
8 Plaintiffs’ motion to compel. *See* Dkt. # 330; Dkt. # 330, Ex. A. Exhibit A to the Hyatt
9 Declaration includes documents produced to Plaintiffs under an Attorneys-Eyes-Only
10 Order (*see* Dkt. # 274) and the Hyatt Declaration includes information from those
11 documents. Dkt. # 329 at 1. Defendants argue that these documents contain personal
12 identifying information from the Named Plaintiffs’ A-Files and sensitive but unclassified
13 information about the investigative techniques used by USCIS to vet applicants and
14 security risks. Dkt. # 338 at 2-3. Because the documents are attached to a non-
15 dispositive motion and Defendants have established “good cause” for keeping this limited
16 subset of documents under seal, the Court **GRANTS** Plaintiffs’ motion to seal. Dkt. #
17 329.

18 Dated this 12th day of May, 2020.

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21 The Honorable Richard A. Jones
22 United States District Judge
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